

0-17-04

June 14, 2004

June 2004

VIA CERTIFIED/RETURN RECEIPT REQUESTED:

KY. Dept. for Local Government
1024 Capital Center Drive
Frankfort, KY 40601

Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

BOONE COUNTY CLERK Marilyn Rouse
P.O. Box 874
Burlington, KY 41005

VIA FIRST CLASS MAIL:

Boone County Judge/Executive Gary Moore
P.O. Box 900
Burlington, KY 41005

Kevin Costello, Executive Director
(C/o) Vicki Myers
Boone County Planning Commission
2995 Washington Street
Burlington, KY 41005

Bob Townsend, Director
Florence Public Services
Florence Government Center
Florence, KY 41042

Peter Glenn, Project Manager
Florence Public Services
Florence Government Center
Florence, KY 41042

Police Chief Tom Kathman
Florence Police Department
Florence Government Center
Florence, KY 41042

Fire/EMS Chief Jim McMillen
Florence Fire/EMS Department
Fire Station 3, 1152 Weaver Road
Florence, KY 41042

RECEIVED AND FILED
DATE Nov. 17, 2005
(Previously returned for surveyors signature)
TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandi Ashburn

Finance Director Linda Chapman
Florence Finance Department
Florence Government Center
Florence, KY 41042

City Attorney Hugh O. Skees
7699 Ewing Boulevard
Florence, KY 41042

Director
Boone Co. Public Safety Communications Center
Florence Government Center
Florence, KY 41042

BOONE COUNTY SHERIFF Mike Helmig
P.O. Box 198
Burlington, KY 41005

Boone Co. Property Valuation Administrator Ron Burch
P.O. Box 388
Burlington, KY 41005

Boone County GIS
2995 Washington Street
Burlington, KY 41005

Jim Key, Chief Building Official
Boone County Building Inspection Office
5958 Garrard Street
Burlington, KY 41005

Dan Maher, Director
Boone County Emergency Management
6024 Rogers Lane
Burlington, KY 41005

Bill Viox, City Engineer
Viox & Viox Inc.
466 Erlanger Road
Erlanger, KY 41018

Boone County Board Of Education
8330 U.S. 42
Florence, KY 41042

Northern Kentucky Area Development District
22 Spiral Drive
Florence, KY 41042

CSI Waste Services of Greater Cincinnati
Att: Tim Trost
11563 Mosteller Road
Cincinnati, OH 45241

CINCINNATI BELL TELEPHONE
Att: Julie Orick 102-1100
201 East Fourth Street
Cincinnati, OH 45201

CINERGY
Att: Jim Gillespie
424 Gest Street, Room 317
Cincinnati, OH 45202

OWEN ELECTRIC COOPERATIVE, INC.
Att: Bill Prather
510 South Main
Owenton, KY 40359

INSIGHT COMMUNICATIONS
Att: Linda Begnoche
7906 Dixie Highway
Florence, KY 41042

Kentucky League of Cities
101 E. Vine Street, Suite 600
Lexington, KY 40507-3700

Mr. Gene Roland
Address Management Systems
U. S. Postal Service
1591 Dalton Street
Cincinnati, OH 45234-9321

Postmaster Nancy Huber
FLORENCE POST OFFICE
7101 Turfway Road
Florence, KY 41042

Kenneth P. & Joyce A. Bowman
8902 Route #42
Florence, KY 41042

Philip Drees
Terrace Development Company LLC
495 Erlanger Road
Erlanger, KY 41018

Dear Sirs and/or Madams:

Enclosed please find certified copies of City of Florence, Kentucky Ordinance No. 0-17-04 annexing certain territory consisting of a parcel of approximately 13.88-acres located, on the Northwestern side of U.S. Highway #42. South of Farmview Drive adjacent to the City limits of Florence. This property was annexed at the request of Kenneth Bowman, Joyce Bowman and Terrace Development Company, owner(s). Exhibits A, the legal description and B, the plat map of said property, are included herewith. According to the owner, there are 2 registered voters residing on this property at present: Kenneth Bowman and Joyce Bowman, both of 8902 Route #42, Florence, KY 41042.

First reading of Ordinance No. 0-17-04 was held on 25th day of May 2004. Second reading was held on the 8th day of June 2004, and the full Ordinance was published in the *Boone County Recorder* on the 17th day of June 2004, at which time the Ordinance became statutorily official.

If you require additional information, please contact me.


Sincerely,



Joseph A. Christofield, City Clerk

I, Joseph A. Christofield, City Clerk for the City of Florence, Kentucky, do hereby certify that the foregoing is a true and correct copy of 0-17-04 as same appears in the official records of my office.

Dated this 15th day of June, 2004.



Joseph A. Christofield, Florence City Clerk

RECEIVED AND FILED
DATE Nov. 17, 2005

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Handie Odum

ORDINANCE NO. 0-17-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 13.88 ACRES LOCATED ON THE NORTHWESTERLY SIDE OF U.S. HIGHWAY #42, SOUTH OF FARMVIEW DRIVE, ADJACENT TO THE CITY LIMITS. (BOWMAN/TERRACE DEVELOPMENT COMPANY PROPERTY)

WHEREAS, Kenneth Bowman, Joyce Bowman, and Terrace Development Company, LLC, being the owners of record of the hereinafter described territory (the "territory"), have requested that the City of Florence, Kentucky (the "City") annex the territory and, pursuant to K.R.S. 81A.412, the owners have given written consent to such annexation; and

WHEREAS, the City has determined that it is desirable to annex the territory which is contiguous to the boundaries of the City, and

WHEREAS, pursuant to K.R.S. 100.209(1) the City makes the election that prior to final action of annexation, the comprehensive plan and official zoning map of the City shall be amended to incorporate and establish zoning of UC/PD and UR1 with respect to the territory.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

SECTION I

The City finds that the hereinafter described unincorporated territory meets the requirements of K.R.S. 81A.410 and is as follows:

- (a.) Is contiguous to the boundaries of the City, and
- (b.) Is urban in character and suitable for development for urban purposes without unreasonable delay, and
- (c.) Is not included within the boundary of another incorporated city.

SECTION II

That the territory, described in Exhibit "A" and shown on Exhibit "B" each of which is attached hereto and incorporated herein by reference, shall be and the same is hereby annexed to the City of Florence, Kentucky.

SECTION III

The owners of record of the territory have filed with the City written consent to this annexation under K.R.S. 81A.412 and therefore, the following do not apply to this annexation: (a) the notification ordinance required by K.R.S. 81A.420(1); (b) the notice requirement of K.R.S. 81A.425; and (c) the waiting period of K.R.S. 81A.420(2).

SECTION IV

Pursuant to K.R.S. 100.209(1) the comprehensive plan and official zoning map of the City shall be amended to establish zoning for the territory as UC/PD and UR1.

SECTION V

This ordinance shall be published in full.

PASSED AND APPROVED ON FIRST READING THIS 25th DAY OF MAY, 2004.
PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 8th DAY OF June, 2004.

APPROVED:

Deane E. Whalen
MAYOR

ATTEST:

Jeff A. Cox
CITY CLERK

CITY OF FLORENCE, KENTUCKY

READING SUMMARY

ORDINANCE NO. 0-17-04

AN ORDINANCE ANNEXING CERTAIN TERRITORY CONSISTING OF A PARCEL OF APPROXIMATELY 13.88 ACRES LOCATED ON THE NORTHWESTERLY SIDE OF U.S. HIGHWAY #42, SOUTH OF FARMVIEW DRIVE, ADJACENT TO THE CITY LIMITS. (BOWMAN/TERRACE DEVELOPMENT COMPANY PROPERTY)

SUMMARY

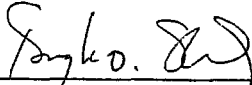
This Ordinance annexes and makes a part of the City a tract of approximately 13.88 acres located on the northwesterly side of U.S. Highway #42, south of Farmview Drive, adjacent to the City limits.

This annexation is in response to a request by Kenneth Bowman, Joyce Bowman, and Terrace Development Company, LLC, the owners, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance.

After annexation the property shall be zoned UC/PD and UR1.

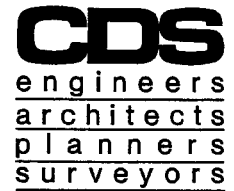
CERTIFICATION

I hereby certify that the foregoing is a summary of the contents of the Ordinance titled above and that it was prepared by me this 20th day of MAY, 2004, and I am an attorney licensed to practice law in the Commonwealth of Kentucky.



HUGH O. SKEES, KBA#64730
SKEES, WILSON & DILLON, PLLC
7699 Ewing Blvd., P.O. Box 756
Florence, KY 41042-0756
Phone: (859) 371-7407
Fax: (859) 371-9872

EXHIBIT “A”



LEGAL DESCRIPTION
PARCEL "B" - FOR ZONE CHANGE TO UC/PD
TRIANGLE DESIGN GROUP

Situated on the northwesterly side of U.S. Highway #42 located approximately 0.5 mile south of Farmview Drive in unincorporated Boone County, Kentucky and being all of the lands conveyed to the Grantors as described in Deed Book 575, Page 6 and Deed Book 575, Page 9 and being a portion of the lands conveyed to the Grantors as described in Deed Book 322, Page 241 and Deed Book 575, Page 11 and being more particularly described as follows:

Commencing at the northwesterly most corner of a parcel of land conveyed to William H. White and Stella L. White as described in Deed Book 322, Page 241 said point being in the southerly line of Farmview Subdivision and the existing corporation limits for the City of Florence;

Thence continuing along the common line of White with said southerly line of Farmview Subdivision, also being the existing City of Florence limits, North 90°00'00" East for a distance of 195.00 feet to a point being the common corner to said White and a parcel of land conveyed to Kenneth Bowman (Deed Book 575, Page 11);

Thence leaving said White and continuing with the common line of said Bowman (Deed Book 575, Page 11) and Farmview Subdivision, also being the existing City of Florence limits, for the following two (2) calls:
1.) North 90°00'00" East for a distance of 416.10 feet to a point;
2.) South 28°30'00" East for a distance of 280 feet to a point being the true **POINT OF BEGINNING** for this description;

Thence continuing with said common line of Bowman (Deed Book 575, Page 11) and Farmview Subdivision South 28°30'00" East for a distance of 120 feet, more or less, to a point being the northwesterly most corner to a parcel of land conveyed to Kenneth Bowman (Deed Book 575, Page 9);

Thence leaving said Bowman (Deed Book 575, Page 11) and continuing with the common line of said Bowman (Deed Book 575, Page 9) and Farmview Subdivision, also being the existing City of Florence limits, North 57°24'00" East for a distance of 357.70 feet to a point being the common corner to said Bowman and a parcel of land conveyed to Kenneth Bowman (Deed Book 575, Page 6);

Thence leaving said Bowman (Deed Book 575, Page 9) and continuing with the common line of said Bowman (Deed Book 575, Page 6) and Farmview Subdivision, also being the existing City of Florence limits, North 57°18'00" East for a distance of 97.78 feet to a point;

Thence leaving said southerly line of Farmview Subdivision and the existing City of Florence limits and continuing with the easterly line of said Bowman (Deed Book 575, Page 6) South 24°42'05" East for a distance of 473.52 feet to a point in the northwesterly right of way line of U.S. Highway #42;

Thence continuing with said northwesterly right of way line of U.S. Highway #42 South 64°56'00" West for a distance of 99.92 feet to a point being the common corner to said Bowman (Deed Book 575, Page 6) and a parcel of land conveyed to Kenneth Bowman (Deed Book 575, Page 9);

Thence leaving said Bowman (Deed Book 575, Page 6) and continuing with said northwesterly right of way line of U.S. Highway #42 for the following two (2) calls:
 1.) South 64°56'00" West for a distance of 161.45 feet to a point;
 2.) South 56°36'00" West for a distance of 163.50 feet to a point being the common corner to said Bowman (Deed Book 575, Page 9) and a parcel of land conveyed to Kenneth Bowman (Deed Book 575, Page 11);

Thence leaving said Bowman (Deed Book 575, Page 9) and continuing with said northwesterly right of way line of U.S. Highway #42 South 50°00'00" West for a distance of 150.00 feet to a point being the common corner to said Bowman (Deed Book 575, Page 11) and a parcel of land conveyed to William H. White and Stella L. White (Deed Book 322, Page 241);

Thence leaving said Bowman (Deed Book 575, Page 11) and continuing with said northwesterly right of way line of U.S. Highway #42 South 50°00'00" West for a distance of 150.00 feet to a point being the southwesterly most corner of said White (Deed Book 322, Page 241);

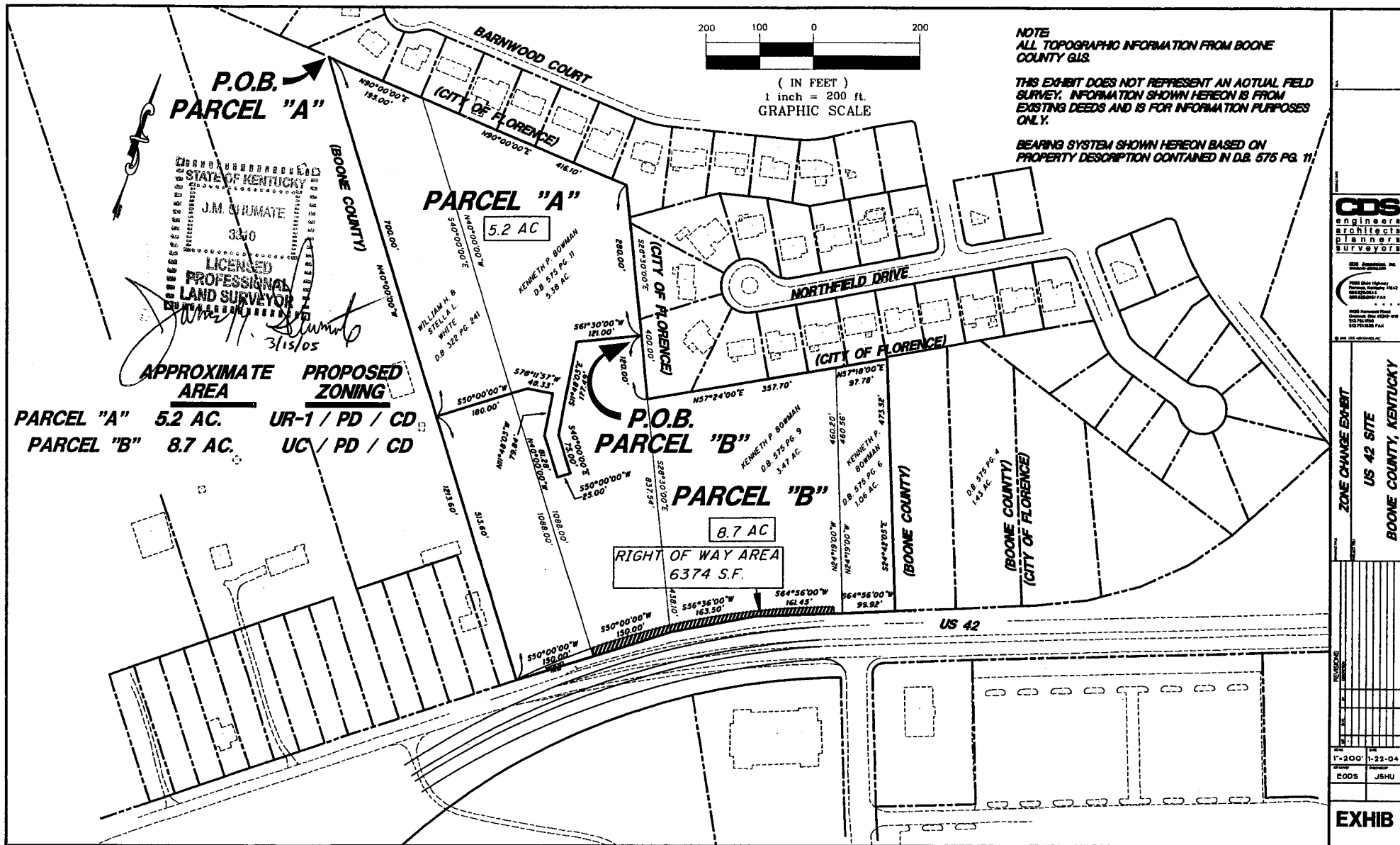
Thence leaving said northwesterly right of way line of U.S. Highway #42 and continuing with the westerly line of said White (Deed Book 322, Page 241) North 40°00'00" West for a distance of 513.60 feet, more or less, to a point;

Thence leaving said westerly line of White (Deed Book 322, Page 241) and continuing with a proposed new zoning line through the lands of the Grantor for the following eight (8) calls:
 1.) North 50°00'00" East for a distance of 180.00 feet to a point;
 2.) North 78°11'57" East for a distance of 48.33 feet to a point;
 3.) South 11°48'03" East for a distance of 79.84 feet to a point;
 4.) South 40°00'00" East for a distance of 81.28 to a point;
 5.) North 50°00'00" East for a distance of 25.00 feet to a point;
 6.) North 40°00'00" West for a distance of 75.00 feet to a point;
 7.) North 11°48'03" West for a distance of 177.49 feet to a point;
 8.) North 61°30'00" East for a distance of 121.00 feet, more or less, to the said **POINT OF BEGINNING.**

Containing approximately 8.7 acres of land, more or less, based on deed descriptions and being subject to all legal highways, rights-of-way, easements, covenants and/or restrictions of record. This legal description is based on the deed descriptions contained in Deed Book 322, Page 241, Deed Book 575, Page 6, Deed Book 575, Page 9 and Deed Book 575, Page 11. The source of bearings for this description is based on the property described in Deed Book 575, Page 11.

STATE OF KENTUCKY
 JAMES M. SUMMERS
 2810
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR
 3/11/05

EXHIBIT ‘B’



**CONSENT TO ANNEXATION
BY THE CITY OF FLORENCE, KENTUCKY**

The undersigned hereby consent to and request that the City of Florence, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

- a. All of the owners of record of said real property have signed below;
- b. The real property meets the requirements of K.R.S. 81A.410;
- c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one)

- a. ☐ That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or
- b. ☒ That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone:
(UR-1, PD) .52 acres (UC/PD) 8.7 acres

NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouses must sign. If the owners are corporations, LLC's, partnerships, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached.

The following documents MUST be attached to this Consent.

- a. A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- b. A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- c. Copies of the document(s) from which owners source of title is derived; and
- d. A list of the names and addresses of those property owners and registered voters who reside within the boundaries of the real property (K.R.S. 81A.475).

KENNETH P. BOWMAN Kenneth P. Bowman 5/19/04
Printed/Typed Name of Owner Signature Date
8902 ROUTE #42 FLORENCE, KY. (513) 619-2514
Address Phone

Joyce A. Bowman Joyce A. Bowman 5/19/04
Printed/Typed Name of Owner Signature Date
8902 ROUTE #42 FLORENCE, KY (513) 741-7073
Address Phone

Philip DREBS Philip DREBS 5/19/04
Printed/Typed Name of Owner Signature Date
485 BELANGER Rd. Belanson Ky (859) 342-7333
Address Phone

[illegible]